REMARKS

Reconsideration of the application is now respectfully requested based on the amendment and Remarks, *infra*. The Drawings are amended and attached separately to this paper. Claims 1, 8, and 9 are amended without prejudice or disclaimer to obtain rapid allowance of the most clearly allowable subject matter. Claims 17-20 are new. Claims 1-20 are pending.

Objection to the Oath/Declaration

The Office Action objects to the oath/declaration because it did not identify the citizenship of the inventor. A new oath/declaration identifying citizenship has been submitted. Applicant submits that this objection is now obviated and respectfully requests withdrawal of the objection.

Objection to the Drawings

The Office Action objects to the Drawings because they were not labeled "Replacement Sheet" or "New Sheet" and lacked numbering for the elements and steps in the drawing. The enclosed set of drawing are labeled "Replacement Sheet" and the elements and steps of the drawing are numbered. Applicant submits that this objection is now obviated and therefore respectfully requests withdrawal of the objection.

Objection to the Specification

The Office Action objects to the specification because there is no numbering to match the elements or steps in the Drawings. The specification has been amended to disclose the elements or steps shown in the drawings of the application. No new matter has been added. Applicant submits that this objection is now obviated and therefore respectfully requests withdrawal of the objection.

Rejection under 35 U.S.C. § 112, first paragraph

The Office Action rejects claims 8, 9, and 12 as failing to comply with the written requirement. Applicant respectfully traverses this rejection.

With respect to claims 8 and 9, the Office Action asserts that the specification does not disclose the limitation of "reconfiguring said second computer, after said step c), to at least partially/wholly reverse said step b)". Applicant contends that this limitation is enabled by Applicant's Figure 7 and its description at paragraph [0035] of the specification.

In step b), the POE environment is invoked, and the second computer is reconfigured to use customized program-specific setting. Applicant's Figure 4, and paragraphs [0026] thru [0028] provide enablement for Applicant's step b). After the second computer operates in accordance with the program-specific setting, the second computer original settings are restored with the backup settings.

Applicant's Figure 7 and paragraph [0035] of the specification addresses the POE Restoration Environment that includes restoring the backed up system registry to the current system registry. The extent of restoration coincides with the initial reconfiguration which may be a partial or total reconfiguration. Applicants have amended the specification to more clearly point out that a partial or complete reversal of step b) is within the scope of the restoration environment steps.

With respect to Claim 12, the Office Action asserts that the subject matter "defined user variables" was not described in the specification or drawings. Applicant contends that the claimed defined user variables is within the scope of the configuration data information included in the system registry. This information is specifically disclosed at paragraphs [0004], [0018], and [0030]. Further, one of ordinary skill in the art knows that configuration settings frequently comprise user-defined settings in addition to system settings.

Rejections under 35 U.S.C. § 112, second paragraph

The Office Action rejects claims 1-16 and in particular, claims 1, 8, and 9, as being incomplete for omitting essential steps. Claims 1, 8, and 9 are herein amended and Applicant respectfully submits that the rejection of these claims is hereby moot.

Rejections under 35 U.S.C. § 102

The Office Action rejects Claims 1-5, 7, 11-13 and 15-16 as anticipated by Gere US2004/0019778. Applicant respectfully traverses this rejection.

As is well known, an anticipation rejection requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single piece prior art reference." <u>Verdegaal Bros. v. Union Oil Co. of California</u>, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Gere does not anticipate Applicant's amended claim 1 which recites the limitation of "reconfiguring the second computer by merging configuration and program information of said first computer into a local system environment of said second computer." Gere discloses the transfer of a bootable operating system from a first machine to a second machine. In Gere, an entire operating system is captured on a portable drive. After the transfer of the operating system is complete from a first machine to a second machine, reconfiguration of the second machine occurs upon the booting of the transferred operating system.

By contrast, Applicant discloses a unique method of transferring a portable operating environment. Applicant's method involves a transfer of configuration, program/program data, and dynamic link library information from a first computer system environment to a second computer system environment via a portable data medium. The reconfiguration of a second environment occurs upon transfer of

the information. **Applicant's method does not transfer an entire operating system,** therefore Applicant's method does not require booting of the second system environment prior to resuming operating.

For at least the foregoing reasons, Applicant asserts that Gere does not anticipate Claim 1. Claims 2-5, 7, 11-13 and 15-16 depend from claim 1 and are likewise not anticipated by this reference. Therefore, Applicant respectfully requests that this rejection be withdrawn and claims 1, 2-5, 7, 11-13 and 15-16 be allowed.

Rejections under 35 U.S.C. § 103

The Office Action rejects Claims 6, 8-10 and 14 as being unpatentable over Gere in view of Hamilton, 2002/0147938. Applicant respectfully traverses this rejection.

In order to establish a prima facie case of obviousness, the prior art reference or references, *inter alia*, must teach or suggest all the claim limitations. See Manual of Patent Examining Procedure, § 2143, Revision 5, August 2006. Applicant asserts that neither Gere nor Hamilton, alone or in combination teaches or suggests Applicant's claims.

Neither Gere nor Hamilton teaches or suggests the limitation of Applicant's Claim 1 which recites of "reconfiguring the second computer by merging

configuration and program information of said first computer into a local system environment of said second computer." Therefore, none of the claims dependent from claim 1 are unpatentable by Gere in view of Hamilton.

Furthermore, even assuming, arguendo, that Gere did recite Applicant's claim 1, one of ordinary skill in the art would not be motivated to combine Gere with Hamilton for the purpose of "check[ing] for possible conflict before reconfiguring" as recited by claim 6. Gere teaches the portability of bootable operating systems. Hamilton teaches a method of collecting user environment data using portable media. Nowhere in Hamilton is there suggested a need to check conflicts in a bootable operating system prior to reconfiguring a system. Additionally, nowhere in Gere is there suggested a need to check conflicts prior to reconfiguring a system.

The Office Action rejects claims 6, 8-10 and 14 using Gere in combination with Hamilton and states that "the modification would be obvious because one of ordinary skill in the art would be motivated to implements portability of an operating environment and allow an operating environment to transfer to removable storage (Hamilton, par. 0012). Hamilton at paragraph 12 discloses the booting of an operating system to restore a program's state. Gere also discloses a bootable operating system. By contrast, Applicant's method does not use a bootable operating system. Applicant's method uses the transfer of registry and

program information to reconfigure a system. Applicant's method and the method of Gere and Hamilton, either alone or in combination, are fundamentally different.

For at least the foregoing reasons, Applicant asserts that Gere and Hamilton, either separately, or in combination, are not obvious over Applicant's independent claim 1 or dependent claims 6, 8-10, and 14. Therefore, Applicant respectfully request that the rejection be withdrawn and the claims allowed.
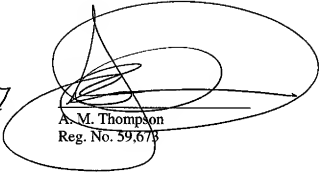
CONCLUSION

Based on the foregoing amendment and remarks, reconsideration of the application is respectfully requested. All objection and rejections have been traversed or accommodated. This response is intended to be a complete response to the Office Action mailed February 8, 2007. No new matter has been added. Applicants submit that the Claims are now in a condition for allowance, and such notice is hereby earnestly solicited.

A petition for a **two (2) month** extension of time is filed concurrently herewith. The Commissioner is hereby authorized to charge the extension of time fees, and any additional fee that may be due as a result of filing this paper to Deposit Account No. 07-2320 of Groover & Holmes.

Respectfully submitted,

GROOVER & HOLMES

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